



OGC 77-1139

18 February 1977

MEMORANDUM FOR : Deputy Executive Secretary

FROM :
Associate General Counsel

SUBJECT : Brzezinski Memorandum re "Review and
Disposition of National Security Action and
Disposition Memoranda"

You have advised that there has been some concern that the Agency should not act on Mr. Brzezinski's request of 11 February out of a feeling that a response would constitute policy participation by the Agency, which under our charter, we should avoid. I think the worry is ill founded. The Brzezinski request is for the agencies to recommend appropriate disposition of existing NSDMs and NSAMs. The National Security Act provides that the duty of the Agency is, among other things, "to advise the National Security Council in matters concerning such intelligence activities of the government departments and agencies as related to national security," this "under the direction of the National Security Council." The Brzezinski memorandum constitutes a National Security Council instruction and it is clearly within the authority of the Agency to respond. As you know, the Agency and the Directors through the years have recommended the issuance of National Security Council Directives and, I am sure, many other actions also.



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